



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,874	03/15/2002	Merle Leland Green	LUC-322/Green 1-1-1-2-32	5365
32205	7590	12/28/2004	EXAMINER	
PATTI & BRILL ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			SING, SIMON P	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/099,874	Applicant(s) GREEN ET AL.	
	Examiner Simon Sing	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 8-10, 13, 14, 16 and 18-21 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 22-28 and 31 rejected under 35 U.S.C. 102(b) as being anticipated by Gordon US 5,608,786.

1.1 Regarding claim 22, Gordon discloses a unified messaging system in figure 1. Gordon teaches a storage device (hard disk) 50 for storing messages for a subscriber local to Toronto Unified Access Node (UAN) (column 6, lines 34-39, 4-5). Each UAN comprises a subscriber's profile (mailbox) (column 4, lines 40-44). (Note: a mailbox in the current claimed invention contains only an address of a location. The Applicant does not claim any voice messages stored in the first and the second mailboxes). The UAN (voicemail system component) in Tokyo comprises a first mailbox (the subscriber's profile) (column 4, lines 40-44), and the UAN in New York comprises a second mailbox (same subscriber profile). The first and second mailboxes comprise a location address of subscriber Gordon (from Toronto UAN). The location address is the personal mailbox number (1-416-555-1234). The subscriber (Gordon) can access his mail messages, stored in his personal mailbox in Toronto, from the Tokyo UAN by inputting

Art Unit: 2645

his identification, and the Tokyo UAN uses the personal mailbox number to retrieve his mail messages, including voicemail (column 7, lines 18-28; column 10, lines 31-49). It is inherent that the subscriber Gordon can also access his mail messages from the New York UAN.

1.2 Regarding claim 23, the personal mailbox number of subscriber Gordon is passed to the Tokyo and New York UANs since subscriber Gordon's personal mailbox is located in Toronto.

1.3 Regarding claim 24, as discussed in claim 22, subscriber Gordon is able to access his same mail messages from Tokyo and New York.

1.4 Regarding claim 25, Gordon discloses a unified messaging system in figure 1. Gordon teaches a storage device (hard disk) 50 for storing messages for a subscriber local to Toronto Unified Access Node (UAN) (column 6, lines 34-39, 4-5). Each UAN (voicemail system component) comprises a subscriber's profile (mailbox) (column 4, lines 40-44). The UAN (voicemail system component) in Tokyo comprises a first mailbox (the subscriber's profile), and the UAN in New York comprises a second mailbox (same subscriber profile). The first and second mailboxes comprise a location address of subscriber Gordon (from Toronto UAN). The location address is an Internet address and a personal mailbox number (1-416-555-1234). The subscriber (Gordon) can access his mail messages, stored in his personal mailbox in Toronto, from the

Tokyo UAN by inputting his identification, and the Tokyo UAN uses the personal mailbox number to retrieve his mail messages, including voicemail (column 7, lines 18-28; column 10, lines 31-49). It is inherent that the subscriber Gordon can also access his mail messages from the New York UAN.

1.5 Regarding claims 26 and 27, as discussed in claim 25, subscriber Gordon is able to access his same mail messages from Tokyo and New York without duplicating the messages.

1.6 Regarding claim 28, Gordon teaches a linked list of pointers (personal mailbox number, same for first and second mailboxes) to access messages stored in the storage device (hard disk 50 in figure 1).

1.7 Regarding claim 31, Gordon teaches using the Internet 4 to retrieve mail messages from the storage device 50 (figure 1) in Toronto.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 22-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. US 5,995,596 in view of Gordon US 5,608,786.

2.1 Regarding claim 22, Shaffer discloses a voice messaging system in figure 1. Shaffer teaches creating voice mailboxes at different nodes for a user (column 3, lines 15-21), and once a voice message is recorded in a particular mailbox, a token comprising an identification of said particular mailbox (voicemail address) and the header information of said voice message is created, and then the token is transferred to other mailboxes (first and second voice mailboxes) so that the user will be able to retrieve said voice message from other mailboxes (first and second voice mailboxes) by accessing said token (column 3, lines 22-34; column 5, lines 30-33).

Shaffer further teaches that his messaging system can be a messaging network worldwide, and messages can include e-mail, facsimile, video and others. Shaffer fails to teach that the messaging network comprises an Internet.

However, Gordon discloses a unified messaging system in figure 1. Gordon teaches Unified Access Node (UAN) in different countries linked by an Internet 4 (column 4, lines 45-65). Each UAN (voicemail system component) comprises a subscriber's profile (mailbox) (column 4, lines 40-44). A subscriber can access his mail messages, stored in his personal mailbox in Toronto, from the Tokyo UAN by inputting his identification, and the Tokyo UAN uses the subscriber's personal mailbox number to retrieve his mail messages, including voicemail (column 7, lines 18-28; column 10, lines 31-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shaffer's reference with the teaching of Gordon, so that the messaging system would have comprised an Internet, and a voice message stored in a local mailbox would have been retrieved from remote mailboxes (first and second voicemail boxes) through Internet, because such a modification would have avoided long distant cost in a worldwide network by using the Internet instead of telephone lines, and would also have enabled the system to included other Internet based messages, such as e-mail.

2.2 Regarding claim 23, Shaffer teaches that the remote mailboxes are associated with a subscriber (column 3, lines 15-21), and the address of a local mail box is passed to the remote mailboxes by a token (column 3, lines 22-34).

2.3 Regarding claim 24, it is inherent that a subscriber can access a voice message from different remote mailboxes.

2.4 Regarding claim 25, Shaffer discloses a voice messaging system in figure 1. Shaffer teaches creating voice mailboxes at different nodes for a user (column 3, lines 15-21), and once a voice message is recorded in a particular mailbox, a token comprising an identification of said particular mailbox (voicemail address) and the header information of said voice message is created, and then the token is transferred to other mailboxes (first and second voice mailboxes) so that the user will be able to

Art Unit: 2645

retrieve said voice message from other mailboxes (first and second voice mailboxes) by accessing said token (column 3, lines 22-34; column 5, lines 30-33).

Shaffer further teaches that his messaging system can be a messaging network worldwide, and messages can include e-mail, facsimile, video and others. Shaffer fails to teach that the messaging network comprises an Internet.

However, Gordon discloses a unified messaging system in figure 1. Gordon teaches Unified Access Node (UAN) in different countries linked by an Internet 4 (column 4, lines 45-65). Each UAN (voicemail system component) comprises a subscriber's profile (mailbox) (column 4, lines 40-44). A subscriber can access his mail messages, stored in his personal mailbox in Toronto, from the Tokyo UAN by inputting his identification, and the Tokyo UAN uses the subscriber's personal mailbox number to retrieve his mail messages, including voicemail (column 7, lines 18-28; column 10, lines 31-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shaffer's reference with the teaching of Gordon, so that the messaging system would have comprised an Internet, and a voice message stored in a local mailbox would have been retrieved from remote mailboxes (first and second voicemail boxes) through Internet, because such a modification would have avoided long distant cost in a worldwide network by using the Internet instead of telephone lines, and would also have enabled the system to included other Internet based messages, such as e-mail.

Art Unit: 2645

2.5 Regarding claim 26 and 27, as discussed in claim 25, Shaffer teaches accessing said voice message from remote mailboxes.

2.6 Regarding claim 28, as discussed in claim 25, the token (pointer) comprises a mailbox (one that stored the voice message) and the header information of the voice message.

2.7 Regarding claim 29, the modified Shaffer's reference, teaches accessing a voice message from remote mailboxes, but fails to teach deleting the voice message.

However, Gordon further teaches when messages are accessed, the messages can be deleted (column 10, lines 64-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Shaffer's reference with the teaching of Gordon, so that a voice message would have been deleted through a remote mailbox, and once a voice message was deleted, the tokens associated with the deleted voice message at each mailboxes would also have been deleted, since it was there no message for it to link to. The motivation for this modification was to enable a subscriber to manage his messages from a remote mailbox.

2.8 Regarding claim 31, as discussed in claim 25, the modified Shaffer's reference, teaches using an Internet to retrieve a voice message.

Art Unit: 2645

2.9 Regarding claim 33, Shaffer teaches forwarding the token to all remote mailboxes when a voice message is received in a local mailbox (column 3, lines 22-32).

3. Claims 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gordon US 5,963,350 in view of Hamel et al. US 5,943,402.

Gordon teaches retrieving managing a voice message, including deleting, modified Shaffer's reference, via Internet (column 10, lines 32-65), but fails to teach modifying the voice message.

However, Hamel discloses a system for annotating and editing voice messages in figure 1. Hamel teaches segmenting a voice message (column 1, lines 55-67; column 2, lines 1-2, 15-21) and recordings voice comments to the voice message (column 8, lines 46-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Gordon's reference, with the teaching of Hamel, so that a voice messaging system would have been able to modify a voice message, because such a modification would have enabled a user to add notes and comments to a voice message.

Allowable Subject Matter

4. Claims 1-6, 8-10, 13, 14, 16 and 18-21 are allowed.

The following is an examiner's statement of reasons for allowance:

4.1 Independent claim 1 of current invention discloses a voice messaging system having two of voice mailboxes (which do not store voice messages) linked to a storage device (which stores voice messages) via Internet. Each mailbox is linked to a particular voicemail message by a reference associated with said particular voicemail message. The storage device deletes the particular voicemail message once references of the voicemail message are deleted from the first voice mailbox and the second voice mailbox. Porter (US 5,963,618) fails to teach this deleting feature.

4.2 independent claims 14 and 16 disclose a storage device coupled to a first voice mailbox and a second voice mailbox through Internet. An address of a voicemail message is copied from the first voice mailbox to the second voice mailbox by of changing a correspondence of the voicemail message on the storage device, from the first voice mailbox to the second voice mailbox. Porter teaches copying an address from a first voice mailbox (VM542) to a second voice mailbox (voice processing unit 520 (VPU 520)) through Internet 530, but fails to teach that both VM 542 and VPU 520 are coupled through Internet to a storage device storing the voicemail message.

4.3 Claims 2-6, 8-10, 13, 18 and 19 are dependent on claim 1, and therefore allowed.

4.4 Claims 20 and 21 are dependent on claim 14, and therefore allowed.

4.5 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Claim 30 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The current invention discloses a voice messaging system having two voice mailboxes (which do not store voice messages) linked to a storage device (which stores voice messages) via Internet. Each mailbox is linked to a particular voicemail message by a pointer, pointing to said particular voicemail message. The particular voicemail message can only be deleted from both the first voice mailbox and the second voice mailbox. Shaffer (US 5,995,596) teaches accessing a voice message, stored in a local mailbox, from a plurality of remote mailboxes by accessing an token, comprising the local mailbox and header information of said particular voicemail message, forwarded to each remote mailbox. Shaffer fails to teach the claimed deleting feature.

Response to Arguments


6. Applicant's arguments with respect to claims 22-33 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


S.S.

12/13/2004


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2645